



Sparks Short Plat
File Number SP-23-00009
FINDINGS OF FACT, DECISION AND CONDITIONS OF APPROVAL

I. General Information

Requested Action: The applicants are proposing a 4-lot short plat resulting in two (2) 2.26 acre lots, one (1) 2.27-acre lot and one (1) 7.32 acre lot.

Location: One tax parcel (#761133), located approximately .75 miles west of the intersection of Airport Road & Bowers Road, in Ellensburg, WA, in Section 26, T18, Range 18, W.M.; Kittitas County parcel map number 18-18-26020-0020, with a zoning designation of Urban Residential.

Site Information:

Total Property Size:	13.59 acres
Number of existing lots:	1
Number of proposed lots:	4
Domestic Water:	No existing individual well
Existing sewage Disposal:	No existing on-site septic
Fire District:	Kittitas Valley Fire & Rescue (Fire District 2)
Irrigation District:	Cascade Irrigation District

Site Characteristics: The site consists of undeveloped land.

Surrounding Property:

North:	Privately owned land primarily used for agricultural and/or residential purposes.
South:	Privately owned land primarily used for agricultural and/or residential purposes.
East:	Privately owned land primarily used for agricultural and/or residential purposes.
West:	Privately owned land primarily used for agricultural and/or residential purposes.

Access: The project has existing access from w. Bowers Road.

II. Administrative Review

Notice of Application: A Short Plat permit application was submitted to Kittitas County Community Development Services on October 12, 2023. The application was deemed complete on October 27, 2023. A Notice of Application for the Sparks Short Plat (SP-23-00009) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal's tax parcel on October 31, 2023. Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).

Designated Permit Coordinator (staff contact): Bradley Gasawski, Staff Planner. Phone: (509) 962-7539, Email: bradley.gasawski@co.kittitas.wa.us.

III. Zoning and Development Standards

The subject property is located approximately 0.75 miles west of the intersection of Airport Road & Bowers Road, northwest of downtown Ellensburg, WA and has a zoning designation of Urban Residential with the Airport Overlay Zone. It is also within the City of Ellensburg's Urban Growth Area.

The subject property is located within the Urban Growth Area (UGA). The purpose and intent of the Urban Growth areas is to provide for areas that are suitable and desirable for urban densities as determined by the sponsoring city's ability to provide urban services, and to allow for alternative methods of development that allows for infill and development at urban levels. The minimum density in urban growth areas requires 6 dwelling units per acre but this provision does not apply to the Airport Overlay zone as seen in KCC 17.58.050.

The intent of the Urban Residential zoning classification is to provide for and protect areas for home-site development and/or urban levels of development in where municipal services can be provided or is already available. The minimum lot size is 7,200 square feet for single family dwelling or 10,000 square feet for two-family dwelling as seen in KCC 17.22.030. The minimum lot size does not apply to properties in the Airport Overlay Zone.

The purpose and intent of the Airport Overlay Zone is to establish an airport overlay zoning district on properties located on, adjacent to, and in the vicinity of public-use airports including Easton State, Cle Elum Municipal, De Vere Field and Kittitas County Airport (Bowers Field), in order to protect the health, welfare, safety, and quality of life of the general public, property owners, airport operators, and aviation community; and also to ensure compatible land uses in the vicinity of the affected environments of the airport overlay zoning district, with regulations set forth in the Adopted 14 CFR Federal Aviation Regulations Part 77. The subject property is located within Zone 3 of the Airport Overlay. Inside of an existing Urban Growth Area (UGA) for lands zoned Urban Residential the average density will be one unit per one acre on the property per KCC 17.58.050 (2). Since the Airport Overlay District is more restrictive, its standards apply.

The proposed lots average to 3.40 acres, which is consistent with the intent of KCC 17.58.050(2).

The Sparks Short Plat is being proposed under Kittitas County Code (KCC) 16.32.050 Short Plat Requirements.

Staff Conclusions

The proposal, as conditioned, meets the requirements of KCC 17.22 Urban Residential Zone, KCC 17.11 Urban Growth Areas & KCC 17.58 Airport Zone. (1) The proposed lots are capable of meeting all setback requirements, lot size requirements and density requirements as listed in the KCC.

KCC 16.32.050 Short plat review: The planning official shall be vested with the responsibility of processing short plat applications. The county shall review and consider the proposed short subdivision regarding:

1. Its conformance with all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington.
2. Its conformance to all standards and improvements required under this title.
3. Potential hazards created by flood potential, landslides, etc.
4. Provisions for all improvements and easements (roads, ditches, etc.) required by this title.
5. Access for all proposed lots or parcels by way of a dedicated road right-of-way or easement.
6. All other relevant facts which may determine whether the public interest will be served by approval of the proposed subdivision.
7. Lots or parcels created by the final platting of a subdivision or short subdivision may not be further divided within a five-year period without filing of a final plat; except as provided for in [RCW 58.17.060](#)
8. Its compliance with [Kittitas County Code Chapter 13.35](#), Adequate Water Supply Determination or work voluntarily with Kittitas County to develop an authorized conservation easement, see section 16.08.061.

Staff Conclusions

The proposal; 1) conforms to all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington, 2) conforms to all standards and improvements required under this title, 3) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for all proposed lots, 6) indicates no hindrance to the public interest, 7) is not being further divided from an incomplete plat, and 8) complies with KCC 13.35 to determine adequate water supply. Staff finds that the proposed short plat, as conditioned, is consistent with all applicable Washington State and Kittitas County codes.

IV. Comprehensive Plan

The Kittitas County Comprehensive Plan designates the proposal as a short plat in the Urban Growth Area, just outside of Ellensburg, WA city limits with Urban land use designation. Kittitas County has established the following goals and policies to guide activities in these areas. These goals and policies were developed in response to identified needs within the county, and support the County Wide Planning Policies:

LU-G4: Maintain a flexible balance of land uses which will protect, preserve, and enhance the rural character, historical forest lands, agricultural industries, mineral lands, and high-quality environment.

Consistency Statement

The proposed short plat has a density of 1 unit/acre preserving some of the rural character in the Urban Growth Area while not creating a excessive units in an airport zone.

LU-P1: Minimize the cost of providing public services and utilities by directing urban growth and development to areas where public roads and services can support such growth.

Consistency Statement

The short plat will be served by an existing county road (West Bowers Rd.)

LU-P7: Promote infill development of vacant or under-utilized properties.

Consistency Statement

The short plat will provide four (4) plots for a single-family dwelling on each where there was land was unused and sitting vacant.

LU-P21: The County will continue to implement the following Federal Aviation Administration safety zones within the airport overlay zone(s) to protect airport operations and reduce safety risks: Inner Safety Zone; Inner Turning Zone; Outer Safety Zone; Sideline Zone; and Traffic Pattern Zone

Consistency Statement:

The plat map will be conditioned to include a plat note that notices all potential buyers that the property is within the Airport Overlay Zone and likely to have noise and activities associated with aircraft in the vicinity of the property.

Staff Comments

The Sparks short plat as conditioned is consistent with the Kittitas County Comprehensive Plan Goals and Policies listed above. The proposal is adequately served by local services and meets density requirements for the zoning designations.

V. Environmental Review

Based upon a Critical Area report, CDS determined the Sparks Short Plat was exempt from SEPA review per WAC 197-11-800 (6)(d). A critical area review was performed by staff and GIS data indicates a PEM1C wetland on proposed lots. Through a Critical Area report performed by Sewall Wetland Consulting, Inc., it was discovered that no wetlands exist on the property. The parcel had several irrigation ditches running through it and draining into a large irrigation ditch just south of the property that were previously fed from a KRD irrigation ditch north of the property.

VI. Agency and Public Comments

Applicable agencies, adjacent property owners, and interested parties have been given the opportunity to review this proposal. All comments are on file and available for public review.

Agency Comments:

The following agencies provided comments during the comment period: Cascade Irrigation District, Washington Department of Fish & Wildlife, Kittitas PUD, WSDOT Aviation, Washington Department of Ecology, Kittitas County (KC) Public Works and KC Public Health Department. Comments are addressed below.

WSDOT - Aviation

WSDOT - WSDOT Aviation Division reviewed this documentation on 11/07/2023. This property appears to be located in WSDOT Airport Land Use Compatibility Zone 3, which coincides with the City of Ellensburg Airport Overlay Zone – Safety Zone 3 (Ch. 15.350). There are specific height and land use restrictions for this mapped area per both of the aforementioned documents. As long as the property is developed in accordance with requisite restrictions, we have no concerns.

Applicant Response: No response provided.

Staff Response: This development, as proposed, appears to meet the requisite restrictions of Safety Zone 3 of the Airport Overlay. Residential construction will require additional permitting and review for compliance with Safety Zone 3.

Kittitas County Public Health

Any on-site septic systems that are to be utilized for wastewater management must adhere to the standards set by both the Washington Administrative Code, and Kittitas County Code. In accordance with KCC 13.04.090, a minimum of one soil log for each proposed lot where individual sewage disposal systems are contemplated must be completed. The proposed short plat indicates the applicant will develop a Group B water system to serve the project. The location of the well site must be approved prior to drilling and a Group B water system must be approved by the Kittitas County Public Health Department. The applicant must prove legal and physical availability of water for all new uses of water on proposed lots. Prior to final plat approval, the applicant must have a soil log must be done on each proposed lot and a Group B public water system must be approved by the Kittitas County Public Health Department with a public water system ID# issued by the Washington State Department of Health, Division of Drinking Water.

Applicant Response: No response provided.

Staff Response: The application has been conditioned to meet the requirements provided by the Kittitas County Health Department.

Kittitas County Public Works

Access:

- An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right-of-way.
- A driveway shall serve no more than four tax parcels. See Kittitas County Road Standards.
- Any further subdivisions or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- The existing access easement shall be a minimum of 30' wide.
- New access easements shall be a minimum of 30' wide. The roadway width shall have a minimum width of 12' if the length of the driveway is less than 150', or 16' if the length of the driveway is more than 150'.
- Driveways longer than 150' in length are required to provide a Fire Apparatus Road Turnaround meeting the requirements of Appendix D in the International Fire Code.
- Maintenance of the access is the responsibility of the property owners who benefit from its use.
- In addition to the above-mentioned conditions, all applicable Kittitas County Road Standards apply to this proposal.

Engineering:

- Except as exempted in Section KCC 14.05.060, no grading or filling upon a site involving more than one hundred (100) cubic yards shall be performed without a grading permit from the County Engineer or Public Works designee (KCC 14.05.050). An application for grading in excess of five hundred (500) cubic yards shall be accompanied by an engineered grading plan (KCC 14.05.080).

Survey

The following survey comments will need to be addressed prior to final approval:

- Interior property corners will need to be set and shown on the final Short Plat.
- Please include language showing the 30' Joint Use driveway Easement as either existing, herein dedicated, or created by separate document.
- Please include suitable information for the accurate retracement of the 30' wide Joint Use Driveway Easement... particularly in the turnaround area.

Transportation Concurrency

Traffic Concurrency is required for all land use actions. A transportation impact analysis (TIA) shall be required for all development that will generate more than nine (9) peak hour vehicle trips. Please provide estimated traffic generation for peak hours to determine if a TIA will be required by submitting a traffic scoping letter to Public Works. (KCC 12.10.040(c))

Flood

Best available information indicates that this property is at flood risk and that upcoming flood mapping changes are expected to include this property within the 100-year floodplain. Kittitas County has submitted a Letter of Map Revision to FEMA that will revise the current 100-year floodplain of Whiskey Creek. At the time of final plat, the most current 100-year floodplain boundary must be included on the face of the plat per KCC 14.08.220.

Water Mitigation/Metering

The following comments outline the requirements for legal availability of water and metering for the proposed short plat:

The applicant must provide legal water availability for all new uses on the proposed lots of this project, which can be provided through mitigation certificates. Prior to final plat approval and recording, the following conditions shall be met:

In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval:

- A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
- An adequate water right for the proposed new use; or
- A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.

All applicants for land divisions shall also submit information on "proximate parcels" held in "common ownership" as those terms are defined in WAC 173-539A-030 and otherwise demonstrate how the proposed new use will not violate RCW 90.44.050 as currently existing or hereafter amended.

Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.

Final Plat Notes

The following notes shall be placed on the face of the plat:

C-1 “Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations.”

C-2 “The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.”

Applicant Response: The applicant discussed the Traffic Impact Analysis requirements with the county engineer, Joshua Fredrickson.

Staff Response: Public Works provided comment on your short plat application, SP-23-00009 specific to transportation concurrency. Your project is a four lot short plat located on the south side of Bowers Road. Based on a curtesy review, it is anticipated to generate 4 peak hour trips. The County requirement for a TIA is greater than 9 peak hour trips. Please accept this as meeting the transportation concurrency requirement noted in the PW comments.

Washington Department of Fish and Wildlife

The Washington Department of Fish and Wildlife (WDFW) has reviewed the application materials associated with the proposed Short Plat on Bowers Road. We recognize this is a non-project action, but it is important that all critical areas are evaluated properly to ensure the new lots created will have buildable areas that do not require variances from the critical area ordinance.

We appreciate the wetlands inventory report being made available for review, but the report was created in 2006 with survey work occurring during the winter months. This report is not relevant for determining whether wetlands are present on the site. Wetlands provide critical habitat for numerous fish and wildlife species, and particularly nesting shorebirds during the spring and early summer months in the Kittitas Valley. Whiskey Creek is a fish bearing stream located northwest of the project area so it is possible there are stream-associated wetlands nearby. We acknowledge the Cascade Irrigation District’s canal is also located north of the property and provides irrigation water to the parcel that may result in irrigation induced wetlands. The information provided to date does not provide sufficient information about the potential for wetlands and how they may or may not impact future buildable spaces and/or septic locations.

The parcel is not within FEMA’s regulatory floodplain, but it is not without flood risk. It is not uncommon for irrigation conveyance ditches to convey floodwater during flood events. We note that the proposed shared driveway easement near the middle of the existing parcel currently has a ditch running north to south. As the driveway is built out and parcels are developed, mitigation measures for water conveyance through the irrigation ditches should be considered to minimize flood risk to future infrastructure.

The WDFW recommends an updated critical area report and a water conveyance plan prior to approval of this short plat. Please feel free to contact me at (509) 961-6639 or Jennifer.nelson@dfw.wa.gov with any questions about these comments.

Applicant Response: Applicant emailed an updated critical area report to KC CDS & WA DFW.

Staff Response: Staff forwarded the updated critical area report to WA DFW. The critical areas report identifies no wetlands on the property.

Kittitas PUD

“Kittitas PUD has lines in the area of this project. The developer will need to contact Kittitas PUD Engineering Department to obtain power requirements for this short plat.”

Applicant Response: The applicant will coordinate with KC PUD for power requirements.

Staff Response: The application has been conditioned to meet the requirements provided by the Kittitas County Public Utilities District.

Cascade Irrigation District

“Cascade Irrigation District will require a \$50 per lot plat fee (CID Resolution #01-2006) as well as an engineered irrigation plan based on Cascade Irrigation District specifications (CID Resolution #3-94 & CID Procedure #1 Standard Specifications for Irrigation Water Distribution Systems).

The irrigation plan must include the point of entry of irrigation water, the system for provision of irrigation water to each parcel, a description of system proposed, and a description of provisions made including right of ways for the protection of other parcel within Cascade Irrigation District which are affected.

If pressurized pipe is proposed, it must include a sump, pump and the proposed system of water to the sump. (CID Resolution #03-94 and CID Procedure #1 Standard Specifications for Irrigation Water Distribution Systems).

Before Cascade Irrigation District can release or sign-off we require 1) approved, inspected and in place irrigation system, or 2) a signed Irrigation Facility Installation Agreement with respective bond covering proposed construction and costs, (CID Procedure #1) or 3) a variance. A variance is only by Cascade Irrigation District Board of Directors action after Board of Directors receives, reviews, and approves a formal petition for such.

If the plat is part of or wishes to become part of an existing LID operating within CID, they must complete all work to hook-up to the LID and pay the associated hook-up fees or a signed Irrigation Facility Installation Agreement with respective bond covering proposed construction and costs involved in such hook-up.

If installing a pressurized system not associated with an LID, the Developer will be required to form an owner’s association to cover the operating costs and maintenance of the infrastructure. (CID Resolution #2-2006)”

Applicant Response: “I will meet with Kelton Montgomery sometime this month and provide him the very simple irrigation plan for lots 1,2, # 3. There is already an approved irrigation plan in place for Lot 4.”

Staff Response: : The application has been conditioned to meet the requirements provided by the Cascade Irrigation District.

Washington Department of Ecology

The application package presented a Wetland Inventory Report dated December 10, 2006. Aerial photos indicate wetlands likely remain. Kittitas County Code 17A.01.080 requires critical area reports less than 5 years old. Prior to ground disturbing activities a new wetland determination, delineation, and rating must be completed by a qualified professional. Kittitas County Code 17A.01.080 lists the following minimum report contents:

1. Minimum Report Contents. At a minimum, the report shall contain the following:
 1. The name and contact information of the applicant and a description of the proposal;
 2. The site plan for the proposed development, including a map drawn to scale depicting critical areas, buffers and/or setbacks, the proposed development, and any areas to be cleared or altered;
 3. The names and qualifications of the persons preparing the report;
 4. Documentation of any fieldwork performed on the site;
 5. Documentation that consultation, when deemed appropriate, was initiated with agencies of expertise;
 6. Field identification and characterization of all critical areas and buffers on and adjacent to the proposed development;
 7. A statement specifying the accuracy of the report, and all assumptions made and relied upon;
 8. November 13, 2023
 9. A discussion of the performance standards applicable to the critical area and proposed development;
 10. A mitigation plan in accordance with KCC 17A.01.100 if mitigation is required; and
 11. Any additional report information required for the critical area as specified in KCC 17A.01.80 through KCC 17A.01.100.

Wetland Delineations must be conducted according to the 1987 Army Corps Wetlands Delineation Manual and the Arid West Regional Supplement. Each wetland should be rated using the Washington State Wetland Rating Guidance for Eastern Washington 2014 Version. Please reach out to Ryan Anderson at 509-379- 1917 or rand461@ecy.wa.gov with any questions.

Water Resources

New Uses in Upper Kittitas County

Your project is located within the boundaries of WAC 173-539A so it may be subject to the rule. If you planning on withdrawing groundwater for a new use within the boundaries of WAC 173-539A, your project must be water budget neutral. Before withdrawing or using any water please submit a Request of Determination of Water Budget Neutrality or an Application for a New Water Right Permit, depending on the size of your project either form may be required.

If you have any questions, please contact the Water Resources Customer Service line at 509-575-2597.”

Applicant Response: No response provided.

Staff Response: A more recent critical areas report identifies no wetlands on the property. The application has been conditioned to meet the requirements provided by the Washington Department of Ecology.

Public Comments:

No public comments were received during the comment period.

The applicant was transmitted all comments on November 17, 2023 and given until December 5, 2023 to submit any response comments. The applicant responded on November 17, 2023 and shared a Critical Areas report from November 15, 2021.

VII. Project Analysis & Consistency Review

In review of this proposal, it is important to consider the goals and policies of the comprehensive plan, applicable county code, public and agency comments, any identified environmental concerns and state and federal requirements. Identified below is the planning staff's analysis and consistency review for the subject application.

Consistency with the Comprehensive Plan:

The proposal is consistent with the goals and policies of the Kittitas County Comprehensive Plan. As referenced above in Section IV of this staff report, the following Comprehensive Plan policies apply to this proposal: LU-G4, LU-P1, LU-P7, LU-P21.

Consistency with the provisions of KCC 17A, Critical Areas:

A desktop critical area review was performed by staff and GIS data indicates a PEM1C wetland on proposed lots. Through a Critical Area report performed by Sewall Wetland Consulting, Inc., it was discovered that no wetlands exist on the property.

Consistency with the provisions of KCC 17.11, Urban Growth Areas:

This proposal is consistent with the Kittitas County Zoning Code for the Urban Growth Area

Consistency with the provisions of KCC 17.22, Urban Residential Zone:

This proposal is consistent with the Kittitas County Zoning Code for the Urban Residential zoning designation.

Consistency with the provisions of KCC 17.58, Airport Zone:

This proposal is consistent with the Kittitas County Zoning Code for the Airport Overlay zoning designation.

Consistency with the provisions of KCC 16.32.050, Short Plat Review:

This proposal, as conditioned, is consistent with the Kittitas County Short Plat Review requirements. The proposal; 1) conforms to all county subdivision, zoning, health and sanitation, roads and bridges, and fire and life safety regulations and with laws adopted by the state of Washington, 2) conforms to all standards and improvements required under this title, 3) has no hazards created by flood potential, landslides, etc., 4) makes provisions for all improvements and easements, 5) outlines access for both proposed lots, 6) indicates no hindrance to the public interest, 7) is not being further divided from an incomplete plat, and 8) complies with KCC 13.35 to determine adequate water supply.

Consistency with the provisions of the KCC Title 14.04, Building Code:

All buildings must be in accordance with International Building Codes.

Consistency with the provisions of KCC Title 12, Roads and Bridges:

As conditioned, the proposal must be consistent with the provisions of KCC Title 12.

Consistency with the provisions of KCC Title 20, Fire and Life Safety:

As conditioned, the proposal must be consistent with the provisions of KCC Title 20.

VIII. Findings of Fact

1. **Requested Action:** The applicants are proposing a 4-lot short plat resulting in one (2) 2.26 acre lots, one (1) 2.27-acre lot and one (1) 7.32 acre lot.

2. Site Location: One tax parcel (#761133), located approximately .75 miles west of the intersection of Airport Road & Bowers Road, in Ellensburg, WA, in Section 26, T18, Range 18, W.M.; Kittitas County parcel map number 18-18-26020-0020, with a zoning designation of Urban Residential.

3. Site Information:

Total Property Size:	13.59 acres
Number of existing lots:	1
Number of proposed lots:	4
Domestic Water:	No existing individual well
Existing sewage Disposal:	No existing on-site septic
Fire District:	Kittitas Valley Fire & Rescue (Fire District 2)
Irrigation District:	Cascade Irrigation District

Site Characteristics: The site consists of undeveloped land.

Surrounding Property:

North: Privately owned land primarily used for agricultural and/or residential purposes.
South: Privately owned land primarily used for agricultural and/or residential purposes.
East: Privately owned land primarily used for agricultural and/or residential purposes.
West: Privately owned land primarily used for agricultural and/or residential purposes.

Access: The project has existing access from w. Bowers Road.

4. The Comprehensive Plan land use designation is “Urban”.
5. The subject property is zoned “Urban Residential”.
6. A Short Plat permit application was submitted to Kittitas County Community Development Services on October 12, 2023. The application was deemed complete on October 27, 2023. A Notice of Application for the Sparks Short Plat (SP-23-00009) was mailed to all federal, state, and local agencies/departments with potential interest in the proposal as well as to all adjacent landowners located within 500 feet of any portion of the boundary of the proposal’s tax parcel on October 31, 2023. Notice was published in the Daily Record, the official newspaper of record for Kittitas County, and posted to the Kittitas County Website, all in conformance with the Kittitas County Project Permit Application Process (Title 15A).
7. The proposal is consistent with Kittitas County Subdivision Code 16.32.050, Short Plat Review. Staff finds that the proposed short plat is consistent with all applicable Washington State and Kittitas County code sections.
8. The following agencies provided comments during the comment period: Cascade Irrigation District, Washington Department of Fish & Wildlife, Kittitas PUD, WSDOT Aviation, Washington Department of Ecology, Kittitas County (KC) Public Works and KC Public Health Department.

9. SEPA review was not required. This project is exempt under WAC 197-11-800 (6)(d). The proposed short plat is consistent with KCC Title 15.
10. The proposed short plat is consistent with KCC Title 17A Critical Areas as conditioned.
11. The proposed short plat is consistent with KCC 17.22 UR – Urban Residential Zone as conditioned.
12. The proposed short plat is consistent with KCC 17.11 Urban Growth Areas as conditioned.
13. The proposed short plat is consistent with KCC 17.58 Airport Zone as conditioned.
14. The proposed short plat is consistent with KCC 16.32.050 as conditioned.
15. The proposed short plat is consistent with KCC Title 14 Building and Construction as conditioned.
16. The proposed short plat is consistent with KCC 12 Roads and Bridges as conditioned.
17. The proposed short plat is consistent with KCC 20 Fire and Life Safety as conditioned.

IX. Conclusions

1. As conditioned, the proposal meets the goals, policies and implementation recommendations as set forth in the Kittitas County Comprehensive Plan.
2. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
3. As conditioned the proposal is consistent with Kittitas County Code Title 16.32 Short Plat.
4. As conditioned, the proposal is consistent with Kittitas County Code Title 17 Zoning, Title 17A Critical Areas, Title 14 Building Code, Title 13 Water and Sewers, Title 12 Roads and Bridges, and Title 20 Fire and Life Safety.

X. Decision and Conditions of Approval

Kittitas County Community Development Services grants *preliminary approval* of the Sparks Short Plat, SP-23-00009, based on the above staff analysis, findings of fact, and conclusions with the following conditions of approval.

Conditions of Approval:

1. Building

- A. All new construction must meet the International Residential Code requirements.
- B. Environmental and statutory review may be required for all current and future

development, construction, and improvements. The applicant and/or all future owners of any lot or lots within this subdivision are responsible for compliance with all applicable local, state, and federal rules, requirements, codes, and regulations. It is incumbent upon said applicants and future owners to investigate for, and obtain from the appropriate agency or their representative, all required permits, licenses, and approvals for any development, construction, and/or improvements that occur within the boundaries of this subdivision.

- C. The developer will need to contact Kittitas PUD Engineering Department to obtain power requirements for the short plat.

2. Roads and Transportation

- A. This application is subject to the latest revision of the Kittitas County Road Standards, dated 2015. The following conditions apply and must be completed prior to final approval of this project. A performance guarantee may be used in lieu of the required improvements, per the conditions outlined. (KCC 12.01.150)
- B. An approved access permit shall be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right-of-way.
- C. Any further subdivisions or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- D. A driveway shall serve no more than four tax parcels. See Kittitas County Road Standards, 2015 edition.
- E. The existing access easement shall be a minimum of 30' wide.
- F. New access easements shall be a minimum of 30'. The roadway width shall have a minimum width of 12' if the length of the driveway is less than 150', or 16' if the length of the driveway is more than 150'.
- G. Driveways longer than 150' in length are required to provide a Fire Apparatus Road Turnaround meeting the requirements of the Appendix D in the International Fire Code.
- H. Maintenance of driveway approaches shall be the responsibility of the owner whose property they serve. The County will not maintain access.
- I. Contact the Kittitas County Rural Addressing Coordinator at (509) 962-7523 to obtain addresses prior to obtaining a building permit. A parcel cannot receive a building permit or utilities until such parcel is identified with a 911 address.
- J. Roads proposed within the Urban Growth Area (UGA) shall conform and support the road system or grid, Transportation Plan and Comprehensive Plan of the City of Ellensburg.
- K. Roads Constructed in the UGA shall comply with the road standards of the affected City

(Ellensburg) or Kittitas County Road Standards, whichever is more stringent. The City shall have the final approval of the road alignments, geometry, and construction requirements.

- L. Except as exempted in Section KCC 14.05.060, no grading or filling upon a site involving more than one hundred (100) cubic yards shall be performed without a grading permit from the County Engineer or Public Works designee (KCC 14.05.050). An application for grading in excess of five hundred (500) cubic yards shall be accompanied by an engineered grading plan (KCC 14.05.080).

3. State and Federal

- A. Applicant shall meet all state and federal regulations.

4. Water/ Sewer

- A. The applicant shall demonstrate proof of water adequacy in conformance with KCC 13.35 prior to final plat approval.
- B. In accordance with KCC Chapter 13.35.027, the applicant shall provide one of the following documents before final plat approval:
 - 1. A letter from a water purveyor stating that the purveyor has adequate water rights and will provide the necessary water for the new use;
 - 2. An adequate water right for the proposed new use; or
 - 3. A certificate of water budget neutrality from the Department of Ecology or other adequate interest in water rights from a water bank.
- C. All applicants for land divisions shall also submit information on “proximate parcels” held in ‘common ownership’ as those terms are defined in WAC 173-539A-030 and otherwise demonstrate how the proposed new use will not violate RCW 90.44.050 as currently existing or hereafter amended.
- D. Failure to obtain mitigation before commencement of an activity requiring mitigation shall be a code violation subject to enforcement under Title 18 KCC.
- E. A Group B water system must be installed and approved with a state ID# issued. A well site inspection must be performed by the Kittitas County Public Health Department prior to drilling the well. Mitigation water for the 4 proposed lots must be provided.
- F. In accordance with Kittitas County Code 13.04.090, a minimum of one soil log for each proposed lot where individual sewage disposal systems are contemplated must be completed prior to final approval.

5. Survey

- A. Interior property corners will need to be set and shown on the final Short Plat.
- B. Please include language showing the 30’ Joint Use driveway Easement as either existing, herein dedicated, or created by separate document.
- C. Please include suitable information for the accurate retracement of the 30’ wide

Joint Use Driveway Easement... particularly in the turnaround area.

6. Flood

- A. Best available information indicates that this property is at flood risk and that upcoming flood mapping changes are expected to include this property within the 100-year floodplain. Kittitas County has submitted a Letter of Map Revision to FEMA that will revise the current 100-year floodplain of Whiskey Creek. At the time of final plat, the most current 100-year floodplain boundary must be included on the face of the plat per KCC 14.08.220.

7. Plat Notes

- A. The following plat notes shall be recorded on the final mylar drawings:

- Environmental and statutory review may be required for all current and future development, construction, and improvements. The applicant and/or all future owners of any lot or lots within this subdivision are responsible for compliance with all applicable local, state, and federal rules, requirements, codes, and regulations. It is incumbent upon said applicants and future owners to investigate for, and obtain from the appropriate agency or their representative, all required permits, licenses, and approvals for any development, construction, and/or improvements that occur within the boundaries of this subdivision.
- All development shall comply with International Fire Code.
- Maintenance of the access is the responsibility of the property owners who benefit from its use.
- An approved access permit will be required from the Department of Public Works prior to creating any new driveway access or performing work within the county road right-of-way.
- The approval of this division of land provides no guarantee that use of water under the ground water exemption (RCW 90.44.050) for this plat or any portion thereof will not be subject to curtailment by the Department of Ecology or a court of law.
- Any further subdivision or lots to be served by proposed access may result in further access requirements. See Kittitas County Road Standards.
- A public utility easement 10 feet in width is reserved along all lot lines. The 10-foot easement shall abut the exterior plat boundary and shall be divided by 5 feet on each side of interior lot lines. Said easement may also be used for irrigation.
- Metering is required for all new uses of domestic water for residential well connections and usage must be recorded in a manner consistent with Kittitas County Code Chapter 13.35.027 and Ecology regulations.
- The property is located within the Airport Overlay Zoning District in which a variety

of airport aviation activities occur. Such airport aviation activities may impact the use of your property.

8. Other

- A. Taxes shall be paid in full on all tax parcels involved in this land use action as required by Washington State Law (RCWs 84.40.042 & 84.56.345) prior to final plat recording.
- B. The applicant shall provide evidence to CDS of project consistency with Cascade Irrigation General Subdivision Guidelines prior to final approval.
- C. Should ground disturbing or other activities related to the proposed subdivision result in the inadvertent discovery of cultural or archaeological materials, work shall be stopped in the immediate area and contact be made with the Washington State Department of Archaeology and Historic Preservation (DAHP) and the Confederated Tribes of the Colville Reservation. Work shall remain suspended until the findings are assessed, and appropriate consultation is conducted. Should human remains be inadvertently discovered, as dictated by Washington State RCW 27.44.055, work shall be immediately halted in the area and contact made with the coroner and local law enforcement in the most expeditious manner possible.
- D. Both sheets of the final mylars shall reflect short plat number SP-23-00009 and an accurate legal description shall be shown on the face of the final plat. Engineers and Surveyors need to be cognizant of all the requirements related to Final Plats (KCC 16.20) and Survey Data and Dedications (KCC 16.24). The final plat must be submitted in full conformance with these chapters of Kittitas County Code; **non-compliant mylars will be rejected and returned to the applicant.** A final plat file number will be assigned when CDS receives your final plat application. This file number will also be required on the face of the final plat.
- E. It is the responsibility of the Professional Licensed Surveyor (PLS) to ensure the lot closures are correct and accurate.
- F. This preliminary approval will expire 5 years from the date of this determination if no extension is filed in accordance with KCC 16.32.090.

From these conclusions and findings, the proposed Short Plat is approved with the above conditions. Kittitas County Code (Chapter 15A.07.010) stipulates that an appeal of this administrative land use decision must be filed within 10 (ten) working days by submitting specific factual objections and a fee of \$1670 to Kittitas County. The appeal deadline for this project is December 29, 2023, at 5:00p.m. Appeals submitted on or before December 29, 2023, shall be submitted to Kittitas County Community Development Services at 411 N Ruby St, Suite 2 Ellensburg, WA 98926.

Responsible Official

Bradley Gasawski

Title: Planner I

Address: Kittitas County Community Development Services
411 N. Ruby Street, Suite 2
Ellensburg, WA. 98926
Phone: (509) 962-7539

Date: December 13, 2023